

REMARKS

The invention relates in part to immunoassay devices comprising elements for the controlled flow, delivery, incubation, separation, washing and other steps of the assay process. The devices of the present invention provide advantageous capture efficiencies and sensitivities for the assay of target molecules.

Claims 1-73 are presently pending in the instant application. Applicants have cancelled all pending claims, and added new claims 74-88. The new claims are fully supported by the specification and do not introduce new matter or require a new search. For example, the instant specification describes assay devices comprising a smooth or textured surface having a plurality of capture zones, *e.g.*, figure 3, on page 28, lines 11-16 and page 25, lines 1-11; particles comprising receptors bound thereto, *e.g.*, on page 25, lines 22-29; entrapping particles within depressions or protrusions of the surface, *e.g.*, in column 13, lines 21-27 of U.S. Patent No. 6,019,944, which is incorporated by reference into the instant application on page 1, lines 3-5; and surfaces comprising capture zones that are not within a capillary space, *e.g.*, on page 32, lines 1-25.

Notwithstanding the foregoing, Applicants expressly reserve the right to pursue subject matter no longer claimed in the instant application in one or more applications which may claim priority hereto.


CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. An early notice to that effect is earnestly solicited. Should any matters remain outstanding, the Examiner is encouraged to contact the undersigned at the address and telephone number listed below so that they may be resolved without the need for additional action and response thereto.

Respectfully submitted,

FOLEY & LARDNER

Dated: 1/25/01

By: 
Michael A. Whittaker
Registration No. 46,230

FOLEY & LARDNER
402 West Broadway
23rd Floor
San Diego, California 92101-3542

Facsimile: (619) 234-3510
Telephone: (858) 720-2500